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captioned proceeding. Associated disagrees with the proposal of Teledesic Corporation ("Teledesic") to create a new service category called the Interactive Broadband Satellite Service ("IBSS").

Associated, through its subsidiaries and affiliates, holds Fixed Service ("FS") microwave licenses in the 17.7-19.7 GHz band. Consequently, Associated has an interest in any Commission policies that might change the licensing procedures and/or frequency coordination requirements for satellite earth stations operating in this band.

In its comments, Teledesic proposes that the Commission provide an alternative licensing method for its proposed satellite system because its planned service will apparently resemble aspects of both fixed satellite service ("FSS") and mobile satellite service ("MSS").² In effect, Teledesic is asking the FCC to create a new set of rules based on the type of service it intends to provide. This is wholly unnecessary. Teledesic's system will utilize FSS earth stations, and therefore regardless of the type of service provided, it must comply

¹(...continued)

Licensed Space Stations to Provide Domestic and International Satellite Service in the United States, *Notice of Proposed Rulemaking*, IB Dkt. No. 96-111 and CC Dkt. No. 93-23, FCC 96-210 (Released May 14, 1996) ("*NPRM*").

² Teledesic Comments at 4-7.

with the traditional frequency coordination requirements that apply to such FSS earth stations.

Teledesic's proposal to establish a new satellite service category would needlessly blur the licensing and frequency coordination requirements of earth stations, and thus would disrupt the traditional frequency coordination procedures for minimizing interference in co-primary bands. Recently, the Commission reaffirmed that FSS earth stations operating in bands that are also allocated to FS microwave users (*e.g.*, Teledesic's proposed earth stations) are required to comply with traditional frequency coordination requirements with respect to FS stations.³ In contrast, MSS earth stations operate primarily in bands that are not shared with FS stations, and consequently frequency coordination is not necessary. Thus, Teledesic's proposal is nothing but a transparent effort to avoid traditional frequency coordination requirements by creating a new service category for a satellite system that does not operate in a materially different manner from traditional satellite systems. Accordingly, the Commission should reiterate that to the extent Teledesic, or any other satellite system, operates in

³ See Rulemaking to Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, *First Report and Order and Fourth Notice of Proposed Rulemaking*, CC Dkt. No. 92-297, FCC 96-311, at ¶ 81 (Released July 22, 1996).

areas where there are existing FS users, it must comply with traditional frequency coordination rules.

As Teledesic acknowledges, blanket licensing is not appropriate in those bands where traditional frequency coordination is mandated due to potential interference considerations.⁴ For that reason, blanket licensing exists today only in the Ku-band, in those band segments allocated exclusively for FSS as the primary service. In contrast, blanket licensing is clearly inappropriate in the Ka-band.

Finally, Associated disagrees with the proposal to establish a regime of blanket licensing of receive-only FSS earth stations, to the extent that it would apply in bands that are also allocated to FS.⁵ As the Commission noted, in such bands "receive-only earth station operators who wish to be protected from terrestrial interference must coordinate each earth station location in accordance with current domestic practice in the particular frequency band."⁶ Accordingly, blanket licensing in these bands is inappropriate because it might be interpreted to confer protection against interference from later-constructed FS stations. This also applies to the receiver of transmit-receive earth stations in bands where the

⁴ Teledesic Comments at 2 n.4.

⁵ See *NPRM* at ¶ 80.

⁶ *Id.* at ¶ 75.

satellite transmit frequencies are used solely by the satellite service, but the receive frequencies are shared with FS stations, as is the case in the Ka-band.

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A handwritten signature in dark ink, appearing to read "Jay L. Birnbaum" followed by a stylized monogram or initials.

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CERTIFICATE OF SERVICE

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